

रजिस्टर्ड नं० पी०/एस०एम० 14.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 1 अक्टूबर, 1983/9 अश्विन, 1905

हिमाचल प्रदेश सरकार

ANIMAL HUSBANDRY DEPARTMENT

NOTIFICATION

Shimla-171002, the 14th September, 1983

No. Ahy-A(4)-2/82(D.D.).—The Governor, Himachal Pradesh is pleased to order the transfer of the Dairy Development Schemes functioning in the 6 Districts namely: Shimla, Mandi, Sirmaur, Solan, Bilaspur and Hamirpur of Himachal Pradesh under the Animal Husbandry Department of H. P. along with the posts as mentioned at Annexure 'A' to the H. P. State Co-operative Milk Producers Federation Ltd., with effect from 2nd October, 1983 in the public interest.

2. Consequent upon the transfer of the said Dairy Development Schemes to the H. P. S.C.M.P. Fed. Ltd., the posts becoming surplus on Government side will be retained as shadow posts till such time the employees of the said schemes of the A. H. Department are finally absorbed in the H. P. S. C. M. P. Fed. Ltd. or suitably adjusted against the equivalent vacant posts in the Department of A. H. or till the period of the notice of termination of services of the employees. It is obligatory on the Part of the H. P. S. C. M. P. F. to absorb such employees/officers of the A. H. Department who opt for service under it.

3. The H. P. State Co-operative Milk Producers Federation Limited shall offer employment to such of the existing employees of the Animal Husbandry Department who opt to serve the Federation on the following terms and conditions which shall not be less advantageous than their existing terms and conditions under H. P. Govt. :

- (a) the existing salaries along with existing scales of pay and allowances of A. H. Department of H. P. Government shall be protected ;
- (b) the employees of the A. H. Department who may opt for their permanent absorption in the H.P. State Co-operative Milk Producers Federation Limited shall be allowed seniority in the concerned grade/category from the date of their appointment in the category under the Animal Husbandry Department *vis-a-vis* existing employees of the Milkfed;
- (c) leave to the credit of the employees will be passed on their credit in the Federation;
- (d) if the employees prior to the bifurcation of the Animal Husbandry Department are facing any disciplinary/criminal/vigilance proceedings, the same proceedings will be continued by the Federation. The Federation will be fully empowered to impose any penalty it considers merited in terms of CCS(CC&A) Rules, 1966 in disciplinary/criminal/vigilance cases/proceedings. If it so happens that an employee after his/her transfer to the Federation is found liable for disciplinary/criminal/vigilance cases/proceedings for acts of commission and omission during his service in the Animal Husbandry Department H. P., the Federation will have full liberty to initiate proceedings against him and impose any penalty it deems fit in terms of rules, applicable to him/her;
- (e) the liability in respect of pay and allowances, arrears of pay and allowances, T. A. medical reimbursement charges etc. in respect of the employees upto 1-10-1983 will be that of the Animal Husbandry Department and after this date the same shall be that of the H. P. State Co-operative Milk Producers Federation Limited.

4. Consequent upon the abolition of the posts in the A. H. Department the D. A. H. shall terminate the services of the employees of the Animal Husbandry Department with due process of law and shall decide all the terminal benefits payable to these employees such as pension, gratuity and G. P. Fund etc.

By order,
B. C. NEGI,
Secretary.

ANNEXURE 'A'

The following posts existing under the Animal Husbandry Department shall be abolished.

Sl. No.	Designation of the post	No. of posts
1	2	3
1.	General Manager, Shimla/Mandi	2
2.	Dairy Managers, Shimla/Mandi/Nahan	3
3.	Dairy Engineer	1
4.	Milk Procurement Officer M.D.O./Store Officer	6
5.	Dairy Inspectors	11
6.	Dairy Supervisors	10
7.	Chargeman Refrigeration/Chargeman Boiler/Transport Mechanic/Electricians/Dairy Mechanics/Fitters.	18
8.	Sr. Auditors	3
9.	Head Assistants	1
10.	Asstt./Accountants	9
11.	Clerks	15
12.	Stock Asstts.	15
13.	Personal Asstt.	1
14.	Steno-typist	1
15.	Regular Class IV Employees	104
16.	Drivers	18
Total		218

(N.B.) The number of drivers to be absorbed in the Federation, however, depends on the number of vehicles transferred to them.

FOOD & SUPPLIES DEPARTMENT

NOTIFICATION

Shimla-171002, the 14th September, 1983

No. FDS. A(3)1/83(Part).—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to frame and notify the Recruitment and Promotion Rules for the post of Law Officer (Class-II Gazatted) in the Department of Food & Supplies as per Annexure to this notification.

These Rules shall come into force from the date of issue of this notification.

By order,
ATTAR SINGH,
Commissioner-cum-Secretary.

ANNEXURE-I

RECRUITMENT AND PROMOTION RULES FOR THE POST OF LAW OFFICER
(CLASS-II) GAZETTED IN THE DEPARTMENT OF FOOD AND SUPPLIES,
HIMACHAL PRADESH GOVERNMENT

- | | |
|--|---|
| 1. Name of the post | Law Officer. |
| 2. Number of posts | One. |
| 3. Scale of pay | Rs. 825—1580. |
| 4. Classification | Class-II (Gazetted). |
| 5. Whether selection post or non-selection post. | Selection. |
| 6. Age for direct recruits | 35 years and below. |
| 7. Minimum educational and other qualification required for direct recruitments. | <p><i>Essential :</i> (i) Professional Degree in Law or its equivalent from any recognised University in India.</p> <p>(ii) Should possess experience and knowledge of the laws and procedure of the Food and Supplies Department of at least five years.</p> |
- OR
- | | |
|--|---|
| | Should possess four years experience as a Practising Advocate. |
| | <i>Desirable :</i> Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh. |
| 8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees. | <p>Age : No</p> <p>Educational Qualification : Yes.</p> |
| 9. Period of probation, if any | Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced to writing. |
| 10. Method of recruitment, whether by direct recruitment or by promotion, deputation/transfer and the percentage of vacancies to be filled by the various methods. | By promotion, failing which by deputation, failing which by direct recruitment. |

- | | |
|--|---|
| <p>11. In case of recruitment by promotion, deputation/transfer, grades from which promotions, deputation/transfer to be made.</p> | <p><i>By promotion from amongst :</i> (1) Legal Assistant/ Assistants/Senior Scale Stenographers having at least 5 years regular or regular combined with <i>ad hoc</i> service, out of which at least 3 years service should be as Legal Assistant.</p> <p>(2) By deputation from suitable officers of H. P. Government.</p> |
| <p>12. If a D.P.C. exists; what is its composition.</p> | <p>The D.P.C. is to be presided over by the Chairman, H.P. Public Service Commission or Member thereof nominated by him.</p> |
| <p>13. Circumstances under which the H. P. Public Service Commission is to be consulted in making recruitment.</p> | <p>As required under the Law.</p> |

Relaxation Clause :

Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

Foot Notes :

1. A candidate for appointment to any service or post must be :—

- (a) A citizen of India, or
- (b) A subject of Nepal, or
- (c) A subject of Bhutan, or
- (d) A Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) A person of Indian origin who has migrated from Pakistan, Burma, Sri-Lanka, East African countries of Kenya Uganda, the United Republic of Tenzania (formerly, Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/ State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

- 2. Upper age limit for direct recruits will not be applicable to the candidates already in service of the Government.

3. Upper age limit is relaxable for scheduled castes/tribe candidates and other categories of person to the extent permissible under the general or special orders of the Himachal Pradesh Government.
4. Age limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the commission.
5. Age and experience for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well qualified.
6. Provision of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.
7. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva-voce* test, if the Commission so consider necessary or expedient by a written test, the standard/syllabus etc. of which will be determined by the Commission or practical test.
8. In all cases where junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post all persons senior to him in the respective category shall be deemed to eligible for consideration and placed above the junior persons in the field of consideration :

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

9. The employees of all public sector corporation and autonomous bodies who happened to be Government servant before absorption in public sector corporation/autonomous bodies at the time of initial constitution of such corporation/autonomous bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporation/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.
10. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.
11. **Departmental Examinations :**
 - (i) Every member of the service shall pass a departmental examination as prescribed in the Himachal Pradesh Departmental Examination Rules, 1976 within the probation period or within two years from the notification of these rules whichever is later failing which he shall not be eligible to :

- (a) cross the efficiency bar next due,
- (b) confirmation in the Service, and
- (c) promotion to the next higher post:

Provided that if a member becomes otherwise eligible for promotion, within the period mentioned above, he shall be considered for promotion and if otherwise found fit, shall be promoted provisionally subject to his passing the departmental examination. He may be reverted if he fails to pass the same:

Provided further that an officer who has qualified the departmental examination in whole or in part prescribed under any other rules before the notification of these rules shall not required to qualify the whole or in part of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st March, 1976 shall not be required to qualify the departmental examination prescribed under these rules.

“(ii) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already pass the same in the lower gazetted post.

“(iii) The Government may, in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced in writing, exemption in accordance with the Departmental Examination Rules to any class or category of persons from the departmental examination in whole or in part.

नियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-5 द्वारा मुद्रित तथा प्रकाशित ।